

Reaching for recognition and greening for growth

Perceptions of justice with regard to Sámi reindeer husbandry
and wind energy in Norway

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Abstract

In the face of climate change wind energy plays an increasing role in Norway. The construction of new wind farms causes opposition and conflicts with, among others, Sámi reindeer herders who are concerned about losing their pastures. By using Schlosberg's (2004) environmental justice framework, I explore the justice implications of wind energy with regard to Sámi reindeer husbandry in the case of Fosen wind park in Mid-Norway. I find diverging perceptions of justice as distribution, as recognition and as procedure among the stakeholders. The wind park causes distributive concerns for the local Sámi reindeer herders who are worried that they will lose some of their winter pastures and partially need to quit their business. In contrast, supporters of the Fosen wind park mainly see its economic benefits. Wind energy in terms of climate change mitigation does not play a major role in the analysed justice perceptions. Whereas the supporters of the wind park consider compensation as justified means to balance the negative impacts on reindeer husbandry, the need for money is barely expressed in Sámi reindeer herders' claims. Instead, their justice perceptions go beyond distributive concerns and are based on claims of recognition. They highlight the importance of reindeer husbandry for Sámi culture. Furthermore, identity claims of the herders are based on colonial perceptions of a powerful state that does not recognise Sámi concerns. Although Sámi reindeer herders were consulted in the planning process for Fosen wind park their voice was not heard in the final decision. What initially seemed to be a simple land use conflict driven by measures of climate change mitigation, is actually a struggle for recognition of the Sámi in Norway. Hence, final recommendations in this paper mainly aim to address the dimension of justice as recognition.

Keywords: Sámi, reindeer husbandry, wind energy, climate change, environmental justice, recognition

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Abbreviations

- IEA – International Energy Agency
- ILO – International Labour Organization
- MAF – Norwegian Ministry of Agriculture and Food
- MCE – Norwegian Ministry of Climate and Environment
- MLGM – Norwegian Ministry of Local Government and Modernisation
- MPE –Norwegian Ministry of Petroleum and Energy
- NRL – Norske Reindrifstamers Landsforbund (Norwegian Association of Sámi Reindeer Herders)
- NVE – Norwegian Water Resources and Energy Directorate
- OHCHR – Office of the United Nations High Commissioner for Human Rights

1 Introduction

Facing the challenge of climate change, Norway set ambitious targets to reduce its greenhouse gas emissions. By 2050 the country aims to be a low-emission society (MCE, n.d.-b).¹ Certainly a mile stone will be the 2030 target of lowering its greenhouse gas emissions by at least 40 % in comparison to 1990 (MCE, n.d.-a). With current emissions being 3 % above the emissions of the reference year, a major gap is to be closed and a targeted effort is required in order to create a successful outcome (Statistisk setralbura, n.d.).

In 2012 Norway and Sweden started increasing their electricity production from renewable energy with subsidies under a common electricity certificate market (MPE, n.d.-b). The Norwegian government argued that this will make a contribution to energy security and climate change mitigation (MPE, n.d.-a). Despite the dominant role of hydropower in electricity production, the share of onshore wind energy increased in recent years. Production went up from about 0.88 TWh in 2010 to 2.85 TWh in 2017 (IEA, n.d.; NVE, n.d.-h) and the physical potential for wind energy in Norway is huge (NVE, n.d.-h, n.d.-g).

The increasing need of areas for wind energy causes controversies for instance with regard to landscape, wildlife or land use (Rygg, 2012). Strong opposition also comes from many Sámi reindeer herders (NRK, n.d.-d, n.d.-b, n.d.-a). 40 % of the area of Norway are used for Sámi reindeer husbandry, mainly the whole area of Central and Northern Norway (Landbruksdirektoratet, n.d.). However, these are also the areas where there is the greatest physical potential for wind energy (NVE, n.d.-i). Scientific evidence suggests that reindeer avoid the areas around wind farms which causes a loss of pastures for reindeer husbandry (Skarin & Alam, 2017). The infrastructure of wind farms like roads, power lines and wind turbines might disturb reindeer (Strand et al., n.d.). However, scientific knowledge in the field is contested and major knowledge gaps still remain (Strand et al., n.d.).

With minor exceptions reindeer husbandry is an exclusive right of the Sámi in Norway (Lov om reindrift §9). It plays a very important role in Sámi identity and culture (Sametinget, n.d.). Therefore, land use conflicts between reindeer husbandry and wind energy are more than just local conflicts over resources. Sámi suffered from discrimination and assimilation policies for many decades (Minde, 2003). National and international law are supposed to protect their culture and their rights

¹ *The government's aim is to reduce greenhouse gas emissions by 80-95 % in comparison to 1990.*

as indigenous peoples (Ravna, 2013). Hence, the expansion of wind energy in Norway raises several justice concerns regarding distribution of land and recognition of Sámi identity and culture, which are worth being explored.

Although in recent years research dealt with wind power opposition and justice concerns (e.g. Cowell, Bristow, & Munday, 2011; Devine-Wright, 2005; Liljenfeldt & Pettersson, 2017; van der Horst & Toke, 2010; Wolsink, 2005), only little work was done in the context of Sámi people or indigenous communities. For instance, Avila (2018) highlighted the emerging topic of indigenous peoples fighting against wind power by analyzing case studies from all over the world and Lawrence (2014) showed how Swedish Sámi interests are disregarded by the state due to the conflict on wind energy developments in traditional Sámi areas. Another contribution was made by Niessen (2017) who analyzed different justice claims in a Swedish case and identified several injustices for Sámi reindeer herders in terms of distribution, procedure and recognition. All these cases show how wind power developments and indigenous livelihoods increasingly come into conflict with each other.

Due to the little number of studies and the emerging role of wind power, there is a need for similar research, especially in the Norwegian context which indeed slightly differs from the one of its Scandinavian neighbours. Norway is the only Scandinavian state which has joined the International Labour Organization's (ILO) convention 169 which protects indigenous peoples' rights of ownership and use of traditionally occupied lands (Semb, 2012). Furthermore, Sámi protests around the construction of the Alta hydro dam in 1981 created a momentum of change in Norway (Minde, 2001) whereas implications of that controversy were less radical in Sweden (Kvist, n.d.).

With this study I want to contribute to the debate on justice implications of wind energy for indigenous peoples. More specifically I aim to identify and analyse justice concerns regarding Sámi reindeer husbandry and wind energy in the Norwegian context.

My work explicitly draws from the previously mentioned study of Niessen (2017), partially using a similar research approach. By using a case in Norway, I aim to expand the research beyond the Swedish context. Furthermore, the thesis is written in the field of sustainability science which is particularly relevant when considering wind energy developments in terms of climate change mitigation. Additionally, I chose the tripartite environmental justice framework of Schlosberg (2004) in order to analyse my selected case. Following the notion of Sustainability Science being "use-inspired" (Kates, 2011, p. 19450), environmental justice fits well into the field as it is situated at a crossroad converging movements, policy and academia (Sze & London, 2008).

In order to achieve the aim of this study, I chose Fosen wind park in Mid-Norway as an exemplifying case, showing how justice concerns regarding Sámi reindeer husbandry and wind energy developments not necessarily *do* but *can* look like in Norway. By using this case as well as Schlosberg's (2004) environmental justice framework, I mainly pursue the following research questions:

1. What are the justice perceptions of relevant stakeholders regarding the conflict between Sámi reindeer husbandry and wind energy?
2. Which role does climate change mitigation play in these perceptions?
3. Which recommendations can be drawn from the case?

I argue that rather economic considerations than the interest of climate change mitigation are driving the construction of Fosen wind park. In this context Sámi reindeer herders need to deal with distributive disadvantages and lacking recognition. Furthermore, they were not fully included in decision-making procedures. Since recognition is a key concern, I try address this dimension of justice with recommendations in the end of my work.

In the beginning of my thesis I outline some background information and give an explanation of the theoretical framework for this work, followed by methodological considerations. Afterwards I present my results structured in accordance with the three dimensions of justice as outlined by Schlosberg (2004). Finally I discuss the main results, outline some recommendations and critically reflect upon the framework's application in the chosen context hoping to create useful insights for further research. In the conclusion I sum up my work and make suggestions for further research.

2 Background Information

2.1 The Sámi

Sámi is an indigenous people in northern Europe (Lantto, 2010). Today, there are about 70,000 to 80,000 Sámi mainly living on a territory which is called Sápmi by many Sámi themselves and spreads over Norway, Sweden, Finland and Russia (Lantto, 2010). Sámi have been misrecognized in Norway for many decades. From about 1850 until 1980 the Norwegian state imposed policies of norwegianization on the Sámi which meant nothing different than assimilation (Minde, 2003). It was only the highly symbolic Alta controversy from 1979 to 1981 which marked an end to the assimilation policies when Sámi people protested against the construction of a hydropower station at the Alta river (Minde, 2003). Although the dam was built, Sámi people won a major case for their rights and recognition due to Alta (Briggs, 2006; Minde, 2003).

Today Sámi rights and culture are legally protected in many ways. Article 108 of the Norwegian Constitution states that “the authorities of the state shall create conditions enabling the Sámi people to preserve and develop its language, culture and way of life”. The Sámi Act from 1987 marked the foundation of the Norwegian Sámi Parliament which politically represents Sámi interests and recognized Sámi language (MLGM, n.d.). Furthermore, Sámi rights and culture are protected by international law, most importantly by the UN International Covenant on Civil and Political Rights and the ILO Convention 169 (ILO, n.d.; OHCHR, n.d.; Ravna, 2013). Despite this progress in recognizing Sámi rights, challenges and questions on self-determination remain, for instance, when it comes to the use of natural resources in Sápmi (Ravna, 2013).

2.2 Sámi reindeer husbandry

In Norway reindeer husbandry is mainly an exclusive right of the Sámi (Lov om reindrift §9). It plays a very important role in Sámi identity and culture (Sametinget, n.d.). There are about 3,000 people engaged in reindeer husbandry in Norway and about 40 % of the country, mainly the northern counties, are used for reindeer husbandry (MAF, n.d.). Traditionally reindeer husbandry is organized in so called siida (Northern Sámi) or sitje (Southern Sámi) which are herding communities that have recently also been recognized by Norwegian law (MAF, n.d.; Ravna, 2013). At a higher level reindeer husbandry is organized in 82 reindeer husbandry districts (MAF, n.d.). Within the reindeer husbandry areas reindeer herders are granted grazing privileges irrespective of who is the owner of the areas (Ravna, 2013). In case of doubt it is the land owner who has to proof that there are no grazing rights

on their land (Ravna, 2013). Depending on the season reindeer have different needs and diets which means they need extensive space and migrate between varying pastures (Jernsletten & Klokov, n.d.). Also, reindeer are rather shy and become easily disturbed by infrastructure and human activities (Skarin & Åhman, 2014). Potential negative impacts from wind energy need to be seen in the context of overall cumulative effects on reindeer husbandry (Strand et al., n.d.). Not only wind energy but also climate change, degrading pastures, predators and other land use conflicts linked to forestry, road and cabin construction, hydropower developments or mining put pressure on reindeer husbandry (Pape & Löffler, 2012; Skarin & Åhman, 2014).

Indeed, the effects of wind parks on reindeer are contested (Strand et al., n.d.). Largely depending on the circumstances, some studies indicate that wind parks and related infrastructure either have an impact on reindeer’s use of pastures (Skarin & Alam, 2017; Skarin, Nellemann, Rønnegård, Sandström, & Lundqvist, 2015) or do not have a negative impact (Colman, Eftestøl, Tsegaye, Flydal, & Mysterud, 2012; Flydal, Korslund, Reimers, Johansen, & Colman, 2009).

2.3 Licensing process for wind parks in Norway

In order to construct and run a wind farm in Norway, a license is required. Licenses are granted by the Norwegian Water Resources and Energy Directorate (NVE), which is a directorate under the Norwegian Ministry of Petroleum and Energy (MPE) (NVE, n.d.-a). The licensing process for wind energy consists of two major steps, a notification and an application (Figure 1). During the licensing process an environmental impacts assessment is conducted by the applying company whereas NVE defines specific demands for this assessment (interview d). After a license was granted, it can be appealed by opposing parties. In this case a final binding decision is taken by MPE itself (Blindheim, 2015). Hence, the political side of the licensing process is not to be neglected (Blindheim, 2015).



Figure 1. Licensing process for wind parks in Norway (NVE, n.d.-f).

3 Theoretical framework

3.1 Sustainability Science

The thesis is aiming to contribute to Sustainability Science research. Rather than a discipline Sustainability Science is a field that “seeks to understand the fundamental character of interactions between nature and society” (Kates et al., 2001, p. 641). Sustainability Science is based on the quest for sustainable development which means “the reconciliation of society’s development goals with the planet’s environmental limits over the long term” (Clark & Dickson, 2003, p. 8049). In this context Sustainability Science has to deal with urgency and complexity as well as with challenges linked to different scales (Kates et al., 2001). Hence, Kates et al. (2001) call for an interdisciplinary research that is problem-driven. Furthermore, Sustainability Science combines critical and problem-solving research (Jerneck et al., 2011).

In several regards my research on justice perceptions in the context of Sámi reindeer husbandry and wind energy developments in Norway is situated within the field of Sustainability Science. In the context of the chosen case study wind energy as means for mitigating the complex sustainability problem of climate change causes conflicts with local Sámi reindeer husbandry. In that regard my research is problem-driven and deals with nature and society as demanded by Sustainability Science scholars (Clark & Dickson, 2003; Kates et al., 2001). Furthermore, the thesis combines knowledge from multiple disciplines and engages on various scales by analyzing different perceptions of justice. For instance, the thesis deals with the cultural interest of the Sámi, the economic perspectives of the authorities and the operator, natural scientific considerations with regard to impacts of wind energy on reindeer husbandry, climate change as a major environmental concern as well as with justice claims linked to international law.

Due to the limited scope, this thesis only gives a minor outlook on potential recommendations for similar conflicts. Instead, it mainly contributes to critical research which makes it possible to question existing power relations and institutions (Jerneck et al., 2011). By focusing on critical research, the study aims to open up new spaces for potential solutions and builds a base for problem solving in terms of further research. In doing so, it follows the demand by Jerneck et al. (2011) to combine critical and problem-solving approaches.

3.2 Environmental Justice

In order to understand the idea behind environmental justice, one needs to go back to its origin. Early studies on environmental justice were mainly drawing attention to the unequal distribution of environmental bads within society (Schlosberg, 2013). Studies in the US were showing that less privileged communities or communities of colour were more heavily exposed to pollution than other parts of society (Schlosberg, 2013). Although it is also widely used in politics and research, environmental justice was rather a movement in the first place (Walker, 2012). The beginning of environmental justice discourses is often linked to protests against the disposal of polluted soil at a dump in a poor African-American community in Warren County, North Carolina (Schlosberg & Collins, 2014). From its beginnings in the US environmental justice rapidly developed further and spread over the globe. Over the time new problems, groups, places and conceptualizations have been included (Schlosberg, 2013; Sze & London, 2008; Walker, 2009b).

In the context of this case study an environmental justice framework contributes to a broad understanding of the conflict between Sámi reindeer herders and wind energy developments by highlighting differing justice claims that build the core of this conflict. “Focusing on environmental justice provides a route into examining important aspects of how people think, reason and act in relation to environmental concerns and experiences as to others” (Walker, 2012, p. 1). In my understanding the strength of environmental justice is its potential to reconcile social justice claims and environmental concerns. Also, Walker & Bulkeley (2006) claim that environmental justice is required for sustainable development as outlined in the Brundtland report (World Commission on Environment and Development, 1987) because meeting basic needs and inter- and intragenerational equity is a core principle of that conceptualization of sustainable development. Furthermore, environmental justice fits well into sustainability science as it is situated at a crossroad converging movements, policy and academia and “draws from and integrates theory and practice in a mutually informing dialogue” (Sze & London, 2008, p. 1332) which is following the notion of sustainability science being “use-inspired” (Kates, 2011, p. 19450). This applies particularly to Schlosberg’s (2004) framework of environmental justice which I therefore chose for this thesis.

3.2.1 Schlosberg’s environmental justice framework

The environmental justice framework by Schlosberg (2004) is a bottom-up approach that is both, informed by theory and by justice claims of the movement. His framework developed out of the critique on liberal justice theory of focusing too much on distributional aspects and only assuming aspects of recognition (Schlosberg, 2004). He argued that this does not conform with justice claims

made by the movement. “If the interest is about attaining justice, rather than attaining a sound theory of justice, recognition is central to the question and the resolution – and is not simply to be assumed” (Schlosberg, 2004, p. 520). As an alternative Schlosberg (2004) suggested a trivalent conception of environmental justice focusing on recognition, distribution and procedure. He argued that analysing aspects of recognition is crucial in order to understand why there is maldistribution and lacking participation (Schlosberg, 2004).

3.2.1.1 Distributive justice

Distributive justice is mainly related to the distribution of goods and bads (Walker, 2012). Dealing with it, does not only mean to focus on the outcome, on how the goods and bads are distributed but also on the responsibility for the distribution (Walker, 2009a). Since the beginnings of the environmental justice movement distributive injustices have played a major role (Walker, 2009a). Coming from a theoretical perspective, Schlosberg (2004) argued that especially liberal justice theory puts a strong emphasis on fair distribution. Rawls (2009) used the “veil of ignorance” (p. 118) as a method to agree on principles of fair distribution. Behind this veil one does neither know the own traits nor the own situation and position within society, not even the circumstances of that society, and would therefore choose principles supporting the disadvantaged (Rawls, 2009). Schlosberg (2004) criticised that liberal theories of justice only focus on how distribution can be improved but do not ask why there is maldistribution in the beginning. Hence, recognition needs to be acknowledged as another dimension of justice (Schlosberg, 2004).

3.2.1.2 Justice as recognition

Crucial for justice as recognition are the questions “Who is given respect and who is and isn’t valued?” (Walker, 2012, p. 10). Referring to Young (1990), Schlosberg (2004) argued that one major reason leading to distributive injustice can be seen in lacking recognition of group difference. Where group differences are linked to privilege and oppression, recognition of this difference is required to reduce injustice (Young, 1990). Identifying not only distribution but also recognition as an important dimension of justice is also in line with Fraser (2000) who pointed out that both are interlinked and that “properly conceived, struggles for recognition can aid the redistribution of power and wealth” (p. 109). Opponents of treating recognition as an additional dimension of justice might argue that recognition can hardly be an additional justice dimension because it is just another good that is to be distributed. However, referring to (Young, 1990), this view was challenged by Schlosberg (2004) who highlighted that recognition cannot be distributed by the state because it is a relationship and a social norm that goes beyond the institutional sphere.

3.2.1.3 Procedural justice

Procedural justice is concerned with how decisions are made, which stakeholders are involved and how influential they are (Walker, 2012). A lack of recognition usually leads to a lack of participation – and the other way round (Schlosberg, 2007). Hence, justice requires participation in political processes in order to undermine unequal distribution and misrecognition (Schlosberg, 2007). Democratic decision-making procedures are both, “an element and condition of social justice” (Young, 1990, p. 23). Procedural justice has four major elements “(1) access to information; (2) access to and meaningful participation in decision-making; (3) lack of bias on the part of decision-makers; and (4) access to legal processes for achieving redress” (Sovacool & Dworkin, 2015, p. 437; referring to Walker, 2012). Additionally to these elements the literature presents many more facets of procedural justice. For instance, Jenkins et al. (2016) highlighted knowledge mobilization and representation in institutions as further mechanisms to achieve procedural justice.

3.2.2 Environmental justice in contrast to energy justice

Against the background of the environmental justice discourse energy justice emerged as a new concept in recent years (Jenkins, 2018). It aims to “provide all individuals, across all areas, with safe, affordable and sustainable energy” (McCauley, Heffron, Stephan, & Jenkins, 2013, p. 1). Energy justice is deeply rooted in environmental justice discourse and shares “the same basic philosophy” (Jenkins, 2018, p. 119). McCauley et al. (2013) and Jenkins et al. (2016) outlined distributional justice, recognition justice and procedural justice as the core of energy justice which is similar to the three dimensions in environmental justice as for instance highlighted by Schlosberg (2004). Hence, I will stick to the original conception of environmental justice – also because the justice claims of the Sámi reindeer herders in this study go beyond energy. Sámi reindeer husbandry is facing multiple pressures linked to environmental and land use issues (Pape & Löffler, 2012).

4 Methodology

4.1 Research strategy

This thesis is based on a constructivist approach which is in line with environmental justice. From a constructivist point of view our perceptions of the world are solely constructed by humans (Boudourides, 2003). Related to questions of conflicts and justice this means that “conflict is not between just and unjust solutions but between different conceptions of justice” (Harvey, 1996, p. 398). Therefore, analysing people’s framing and perceptions of justice as it is done in this thesis becomes crucial.

In order to fully understand these perceptions, a detailed qualitative analysis of the arguments is required. Hence, I chose a qualitative research strategy. As highlighted by Bryman (2012), qualitative research often goes along with using an inductive approach in order to generate theory. Nevertheless, I mainly chose a deductive approach because the environmental justice framework has proven to be valuable in similar cases (e.g. by Avila, 2018; Niessen, 2017) and seemed to be useful to reflect on in the Norwegian context. Although I had my framework in mind when I went to the field, I tried to keep an open mind regarding new information that did not fit into this frame.

In conflicts between reindeer husbandry and wind energy developments multiple stakeholders from different levels are involved and various scales have to be considered. Hence, the understanding of the different perceptions of justice, the different constructions of the world, requires a detailed analysis of the major claims. For this reason I chose a case study research design which enables the required depth (Flyvbjerg, 2006). Referring to Kuhn (1987), Flyvbjerg (2006) highlights another reason for conducting case study research. “A discipline without a large number of thoroughly executed case studies is a discipline without systematic production of exemplars, and [...] a discipline without exemplars is an ineffective one” (p. 242).

Because the case was supposed to be seen in the wider context of emerging wind power in Norway, I chose an exemplifying case (Bryman, 2012). Although drawing generalizations from an exemplifying case might barely be possible, it at least gives an idea on how different perceptions of justice could look like in the Norwegian context.

4.2 The case study

The chosen case is a conflict between Sámi reindeer husbandry and wind energy developments on the Fosen peninsula in Central Norway. Fosen is located north of Trondheim in the southern parts of Sápmi and in the County of Trøndelag (fig. 2). In the area Fosen Vind builds six wind farms with an overall capacity of 1,000 MW, four on Fosen and two in the west of Trondheim (Statkraft, n.d.-a) (fig. 3). The developers claim that this is Europe's largest onshore wind power project (Statkraft, n.d.-a). The four wind parks being built on Fosen consist out of 209 turbines and are located on reindeer winter pastures in the western part of the Fosen reindeer husbandry district (Fosen Vind, n.d.).



Figure 2. Location of Fosen in Norway
(OpenStreetMap, n.d.).

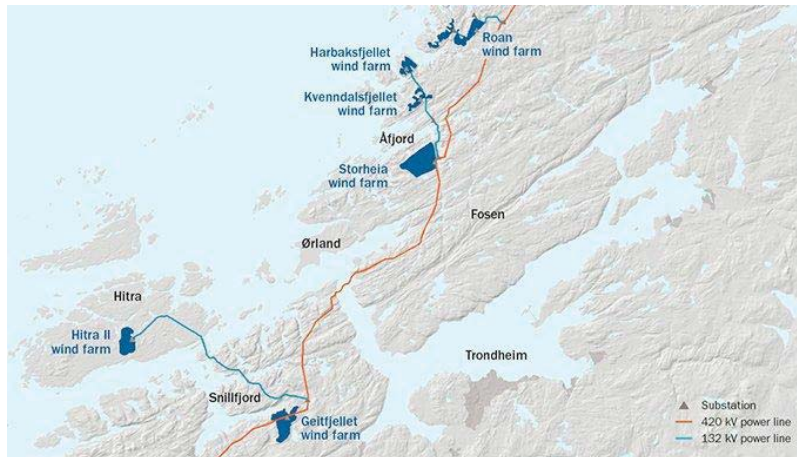


Figure 3. Location of Fosen wind park in Trøndelag, Mid-Norway (Statkraft, n.d.-b).

The reindeer husbandry district is divided into two groups of herders, a northern and a southern group, making up together about 30 people owing about 2,100 reindeer (Reinbeitedistrikt, 2013; interview g). Whereas the areas close to the sea and the fjords are used as winter pastures, the central areas of the peninsula are used as summer pastures (NIBIO, n.d.). The Sámi reindeer herders on Fosen belong to the group of Southern Sámi which is “a minority within the minority” (Lyngsnes, 2013, p. 229). Southern Sámi mainly live across a large area in the southern parts of Sápmi and there are about 600 to 1,000 Southern Sámi in Norway (Lyngsnes, 2013). About half of them speaks their own language, Southern Sámi, which is in danger of extinction (Lyngsnes, 2013).

Reindeer herders on Fosen are heavily opposing Fosen wind park which is under construction right now and will be gradually commissioned from 2018 to 2020 (NRK, n.d.-d; Statkraft, n.d.-a). The Norwegian Sámi Parliament and Sámi interest organisations as well as a nature conservation organisation support their struggle (NRK, n.d.-f). Until today there are ongoing protests and court cases (NRK, n.d.-e).



Figure 4. Reindeer on Fosen (own picture).



Figure 5. Construction of wind farm (own picture).

However, Fosen Vind goes on constructing the park (Tu.no, n.d.). The company is a joint venture owned by the Norwegian state-owned company Statkraft (52.1 %), by Nordic Wind Power DA (40.0 %), which is a consortium established by Credit Suisse, and Trøndenergi (7.9 %), which is owned by several municipalities in Trøndelag (Fosenvind, n.d.; Statnett, n.d.; TrønderEnergi, n.d.). Other supporters of the wind park are the local municipalities, Åfjord, Roan and Bjugn, in which the park will be located (NRK, n.d.-c). The concessions for the wind farms on Fosen were handed out by NVE and were confirmed for the most part by MPE after they had been appealed (NVE, n.d.-b, n.d.-c, n.d.-d, n.d.-e).

Following my research design, I chose an exemplifying case (Bryman, 2012) in order to illustrate the emerging conflict between reindeer husbandry and wind energy in Norway as well as potential justice claims being made. I decided to choose the Fosen case since the protests and legal disputes indicated that it is a typical case where there are differing justice claims and perceived injustice regarding wind energy and reindeer husbandry. Furthermore, testing an environmental justice framework was possible due to the existence of numerous justice claims. More practically, the media attention in the context of this case indicated that it will be possible to get in touch with the relevant stakeholders since they seemed to be willing to spread information and to talk about their perceptions of justice.

4.3 Methods

Because I aim to look at different perceptions of justice, I decided to use qualitative interviewing as the major technique which allowed me to go into depth and to explore the interviewee's point of view (Bryman, 2012). After doing some investigations on the case as well as the governance system around wind energy and reindeer husbandry in Norway, I identified the relevant stakeholder groups which have a say about both, reindeer husbandry and wind energy, on Fosen and did purposive sampling (Bryman, 2012) of participants for the study. Stakeholders were considered to be relevant in case they either have a stake in the decision on the park, are building or owning the park or are actively opposing the park because of reindeer husbandry. Consequently, I contacted authorities, administrative divisions, the developers and owners of the park as well as Sámi reindeer herders and their allies. Although not all requested people responded, representatives of the most stakeholder groups replied.

Table 1. Interviewed stakeholders (own table).

Interview no.	Stakeholder group	Role	Form of interview	Position
interview a	Åfjord municipality	Major parts of Fosen wind park are located in the municipality.	meeting	supporting
interview b	Trøndelag's County Governor, reindeer department	administration responsible for reindeer husbandry	e-mail	opposing
interview c	County of Trøndelag, planning department	administration responsible for regional spatial planning	meeting	supporting
interview d	Norwegian Water Resources and Energy Directorate (NVE)	licensing authority	phone	supporting
interview e	Fosen Vind	owner and developer of Fosen wind park	e-mail	supporting
interview f	reindeer herder on Fosen	Fosen wind park built on the herder's winter pastures	meeting	opposing
interview g	reindeer herder on Fosen	Fosen wind park built on the herder's winter pastures	meeting	opposing
interview h	lawyer of one of the herding groups on Fosen	representing Fosen reindeer herders in legal matters	phone	opposing
interview i	Norwegian Association of Sámi Reindeer Herders (NRL)	interest organisation for Sámi reindeer herders	e-mail	opposing
interview j	Naturvernforbundet, nature conservation organisation	trying to protect nature on Fosen, allying with reindeer herders	meeting	opposing

After choosing the participants, I conducted semi-structured interviews using interview guides. This allowed me to follow my deductive approach and to conduct the interviews in a way that was informed by Schlosberg's (2004) environmental justice framework. At the same time the interviews were not completely structured and left some open space in order to be able to deal with the interviewees special point of view (Bryman, 2012). In total I conducted ten interviews (table 1) which was sufficient enough to reach some extend of saturation. Half of the interviews was conducted during an eight-day field trip to Fosen and Trøndelag. However, not all stakeholders were located in the area, so two interviews had to take place by phone. Three other interviewees were only willing to

respond to the interview questions by e-mail. Because they represent crucial stakeholder groups, the impacts of not interviewing them would have been more negative than this minor methodological inconsistency which was therefore considered to be acceptable. Finally all interviews were recorded and transcribed. Informed by the three dimension of Schlosberg's (2004) framework, I manually coded the interviews with a coding software. Because Schlosberg's (2004) framework only highlights three broad dimensions of justice, however, coding was not only done deductively but also inductively. From my data I generated different themes which I classified according to the three dimensions.

During my field trip I also got the chance to visit the construction site in Storheia and to join one of the Sámi reindeer herders for a day in the mountains. Furthermore, the interviewees were conducted at different places all over the peninsula, so I got a good overview on the landscape of the Fosen peninsula. All these experiences contributed to a better understanding of the case and made it possible for me to contextualize the claims of the different stakeholders.

4.4 Limitations of the study

This study comes along with some limitations, for instance, with regard to field research and interviewing. Although the study represents a thorough understanding of the case and catches the major claims, field work could have been extended and the number of interviews could have been even higher. For instance, only reindeer herders from one of the two reindeer herding groups on Fosen were willing to talk to me. Although both groups are opposing the park, the quality of the arguments might differ between the groups. However, out of ethical considerations it needs to be accepted if some people are not willing to give an interview. Also, the scope of a thesis project is limited and I claim that some extend of saturation has been reached in the data. It is also important to understand that the thesis rather focuses on the core of the conflict at the regional and local level. Exploring relevant links to national politics and the national debate on renewable energy would have gone beyond the scope of a thesis project.

Another limitation goes back to myself as a foreign researcher initially not knowing anyone connected to the case. As I do not speak Norwegian or Southern Sámi, I approached people mainly in English. Potentially that is also why some people did not reply to my interview requests. While answering my questions in English went mainly well for most of the interviewees, it was a barrier for some of them which might have had an impact on the quality of the responses.

The case study is used as an example to illustrate differing perceptions of justice, however, it should not be understood as an attempt to generalize the outcomes. Despite potentially being typical in one or the other sense, this case study is based on the unique perceptions of single people. It gives a good insight into how the conflict between wind energy and reindeer husbandry in the Norwegian context looks like at a specific location. Potential outcomes from Fosen might therefore only give hints for similar cases.

4.5 Ethical reflections

Bryman (2012) identifies four major ethical principles for social research which are harm to participants, lack of informed consent, invasion of privacy and deception. In this case study harm to participants was most likely to occur through mental stress induced by talking about the highly contentious case. I was aware that not everyone was willing to talk about the conflict, so I immediately accepted refusals and did only send about two friendly reminders to those people who were not answering at all. Furthermore, I made sure I got the interviewees' informed consent to participate which is also linked to Bryman's (2012) second ethical principle. Before I conducted my interviews, I told the participants about my research and handed out an informed consent form. I answered their questions and together we went over the form. Additionally, the interviews took place at locations preferred by the interviewees and the duration of an interview was reduced if demanded by a participant. In order to deal with the principle of invasion of privacy (Bryman, 2012), the participants are only quoted anonymously in case they agreed on being quoted directly at all and their names are not publicly disclosed. Also, the interviewees always had the possibility to stop the interview or not to answer some of the questions. The fourth principle highlighted by Bryman (2012) is deception which was avoided at any time in the research process.

5 Results and analysis

In my research I analysed different perceptions of justice among the interviewed stakeholders in the conflict on reindeer husbandry and wind energy on Fosen. Following Schlosberg's (2004) environmental justice framework I structured the claims according to the three dimensions of distributive justice, justice as recognition and procedural justice. Subsequently, I extracted different clusters of arguments or themes. In my analysis I present these themes including the different claims of relevant stakeholders. Due to the rich amount of collected data, it is impossible to show all arguments which were brought forward. Hence, only a broad outlook on the spectrum of perceptions is given. Since justice claims were not always explicitly and directly articulated, the following section combines the presentation of clear results and further interpretations.

5.1 Distributive perceptions of justice

Distributive claims were mainly made with regard to the impacts of the Fosen wind park on reindeer husbandry, the question of compensation and the beneficiaries of the wind park.

5.1.1 Impacts on Sámi reindeer husbandry

The two interviewed reindeer herders mainly pointed out the negative impacts of Fosen wind park on reindeer husbandry. They argued that they will lose 30 % of their winter pastures (interview f; interview g). Not only the area where the wind park will be located will be lost but also the pastures that lie to the west of the wind park because these areas will be locked-in between the ocean and the wind park (interview g). The herders were particularly concerned to lose the wind park area because it is a very valuable winter pasture (interview f). Here reindeer find food on the ground under the snow because the location is close to the ocean where the snow is not very icy making the food easily accessible (interview f). Right now as the wind park is under construction, the herders are not allowed to access the area with their reindeer (interview g). However, this is quite problematic from the herders point of view. Usually the reindeer access the grazing grounds in the wind park area by themselves in winter (interview g). As reindeer change their pasture areas in the course of the seasons, the wind park disrupts their natural circle of life (interview g). Recently, the herders had to stop the reindeer and had to guide them to other pastures (interview g). "The reindeer are natural animals. It's very difficult to learn them up to new place to stay. You have to be there nearly every day to watch." (interview g). Also, there is the danger that the herd splits up when it faces the wind park and scatters on different pastures (interview g). In that case some of the reindeer might even

enter the valley and cause problems on agricultural areas or go back to the summer pastures where there is not much food (interview g). Indeed, the reindeer are “getting skinnier year by year” (interview g) because they lose a lot of energy from being disturbed and from moving around. Although access to the wind park area will be granted after construction, the herders believed that they will not be able to use it anymore (interview f). “Reindeer do not go against a problem. It’s not their nature” (interview f). Furthermore, the herders were told that the park will be dismantled after 25 years but they argued that this does not help and that the area “will be spoiled forever” (interview f) because the roads will still be there and the infrastructure might just be used for cabins or something else.

Concerning the near future the reindeer herders were not very optimistic. They believed that if the park is not stopped, they will either need to shut down one of three sitje in the southern part of the Fosen reindeer herding district or they will need to lower the amount of reindeer in all three sitje (interview f; interview g). Besides these existential concerns the herders also highlighted the burden they were carrying due to their long-lasting opposition and the ongoing court cases. It takes a lot of time and energy and “it’s very difficult to keep track of everything that’s going on” (interview g). Concentrating on the actual herding becomes more difficult (interview g). “We don’t know how it ends. So it’s like walking on the edge.” (interview g). And further, “We can’t give up” (interview g). “We fight. Against everything, who threatens my reindeer” (interview g).

The herders also pointed out that except from the wind park other impacts are also putting pressure on their business. Traffic, cabins, all kinds of infrastructure and people limit the use of the grazing areas (interview f; interview g). Furthermore, losses from predators play a major role in decreasing the stock of reindeer (interview g). The herders barely get any money out of their business (interview g). In this context, the wind park increases the herders’ vulnerability even further.

All other stakeholders acknowledged the negative impacts the wind park might have on reindeer husbandry. Rather than being aware about the detailed local consequences, most of them pointed out how wind parks in general add to the cumulative effects on reindeer husbandry (e.g. interview b; interview d; interview i). NVE stated, “the tolerance limit [...] has become a very important expression in the licensing process and the cumulative effects on reindeer herding” (interview d).

Despite the impacts on reindeer husbandry were acknowledged by all stakeholders, some of them also tried to put these impacts into perspective. NVE, the County of Trøndelag and the government’s reindeer department highlighted the contested scientific knowledge base with regard to reindeer husbandry and wind energy (interview b; interview c; interview d).

The researchers disagree about the likely consequences of windmill parks on the reindeer. Some researchers even say the reindeer will adapt to the windmills. There is a need for more research on the subject, especially on a regional scale. (interview b)

Furthermore, NVE justified its licensing decision by arguing that the tolerance limit was not achieved for the Fosen reindeer herders and that the herders have more important areas on Fosen than the ones they will lose (interview d). Also, NVE highlighted the difficulty to expand the wind industry in Northern Norway.

You have to take into consideration that all of Northern Norway and Mid-Norway is reindeer districts. So, if it's going to be any wind farms north of Trondheim it will impact reindeer herders in one way or another. (interview d)

Between 2013 and the beginning of 2018 NVE took decisions regarding ten wind farms in reindeer husbandry areas and rejected seven of them (interview d). Although reindeer husbandry might not have been the main or sole reason for rejection it played an important role in all of these decisions (interview d).

To sum up, there can be no doubt that the Fosen wind park has negative consequences for Sámi reindeer husbandry. Most stakeholders agreed that it adds to cumulative effects. However, there are differing perceptions of justice regarding the precise extend of the impacts. What NVE believes to be justified, is a major distributive concern for the herders. In order to reduce the negative impacts, there have been small efforts which I analyse in the next section.

5.1.2 Reducing the impacts and paying compensation

As one measure to limit the negative impacts for reindeer husbandry Fosen Vind offered to stop construction for a few hours so the herders can pass the park with their reindeer in case that will be required (interview g). Also, Fosen Vind highlighted that the interest of the herders were taken into account, for instance, by reducing the size of some of the wind farms (interview e). Indeed, the number of turbines in the wind park affecting the interviewed Sámi reindeer herders was reduced from 88 to 80 turbines (interview h). However, since the herders oppose the project as a whole, this was hardly satisfying for them: “Maybe they think that's enough to do for us” (interview g).

Furthermore, it is worth mentioning that originally many more parks were planned on Fosen. About 20 to 25 projects were discussed (interview b; interview d). This clearly shows how in the beginning the wind industry was not concerned about Sámi interests at all. NVE then interfered and suggested

to drastically limit the amount of wind energy projects on the peninsula due to the consequences for the nature as well as for reindeer husbandry (interview a; interview b). Also, other stakeholders were opposing the plans like Åfjord municipality which was aiming to keep the east of the peninsula free from wind energy (interview a). In the end only four wind farms were granted a license on Fosen, which means that for the most part a major attack on reindeer husbandry was defended. However, as the previous discussion has shown, even the four remaining parks create heavy distributive justice concerns.

For the construction phase Fosen Vind made an agreement with the herders on compensation (interview e). The company offered money and other non-monetary compensations like putting up a cabin for the herders or providing trucks to move the reindeer (interview g). Compensation for the operation phase is under discussion right now (interview e). However, it will remain questionable if compensation is really useful for the herders because a major issue for the herders is that there is no compensation in terms of land (interview f; interview g). They argued, “Well, what can you do with the money then?! You cannot buy new land, that's the problem.” (interview g). In contrast to this position, the interviewee from Åfjord municipality pointed out, “I hope they get compensation so they can still go on with their work” (interview a). Here seems to be a fundamental difference in justice perceptions. Whereas supporters of Fosen wind park believed compensation creates a satisfying solution, the reindeer herders argued that money could not address their main concern of losing land. Indeed, this contrast is also reinforced by recognition claims of the Sámi reindeer herders. But before I look into the dimension of justice as recognition two other distributive questions need to be considered. Who benefits from the park and to what extent are benefits framed in terms of climate change mitigation?

5.1.3 Who benefits and in what regard?

First of all, Fosen wind park will economically benefit its three owners which are Fosen Vind, Trønderenergi and a foreign investment consortium established by Credit Suisse (Fosenvind, n.d.). Fosen Vind argued that it was a commercial decision to invest in the wind park (interview e). The business interest was also highlighted by opposing parties of the park but more from a critical perspective in terms of profiteering at the expense of reindeer husbandry (interviewee g; interviewee i; interview h).

In contrast, Fosen Vind argued that not only its owners will gain economic benefits from the wind park but also society in general (interview e). And indeed, the municipalities see a big chance in the wind energy developments. For instance, Åfjord municipality, one of the three municipalities

involved, claimed that it struggles for survival because people migrate to the cities (interview a). Due to the wind park, it earns a lot of money from property taxes and a lot of money is spent in the community boosting local economic development (interview a). About 500 workers will stay in Åfjord during construction (interview a). The local laundry washes the company's clothes, workers stay in the hotel, engineering companies receive orders and land owner got wealthy by selling their grounds or by getting expropriated (interview a). Overall, the municipalities aim that 20 % of the investments connected to the park will stay at the local level and 50 to 60 people are expected to work in the whole wind park when it will be running (interview a). Economic benefits on the local and the regional level were also seen by the County of Trøndelag (interview c). The interviewed person from the county administration saw a big potential in wind energy in general as it might induce further economic development by attracting energy intensive industries like aluminium or paper production (interview c). And what the municipality put in a nutshell by stating, "for Åfjord it means a lot because a lot of money" (interview a), was also perceived like this by a reindeer herder who answered to a question regarding the potential motivation of the municipality, "Just money. Money, money, money." (interview g).

In the beginning of the Fosen project the location of the wind park was contested (interview c). According to the county administration, the investors particularly pushed for Fosen as the final site, but it was also the county's ambition to protect a potential alternative area in the east of the county where there is mainly pristine nature as well as reindeer husbandry (interview c). Regarding the siting of the wind park Åfjord municipality pointed out, "We are not blue-eyed, we know that they ask us because we have all this space and a few people to disagree" (interview a). Therefore, building the wind park on Fosen was also an indirect benefit for all those who would have suffered from negative consequences of a potential wind park somewhere else. And finally even one of the reindeer herders saw a good aspect in the upcoming wind turbines on Fosen. "They kill lots of eagles" (interview g).

All in all, it is uncontroversial to say that for the interviewed supporters of the wind energy developments on Fosen economic benefits are the major motivation for building the wind park. The perceptions of justice between opposers and supporters of the wind park differ in the question on whether the expected economic benefits justify the negative impacts on reindeer husbandry or not.

5.1.4 Benefits in terms of climate change mitigation?

Whereas economic benefits play a crucial role in the context of the Fosen wind park, the role of climate change mitigation as another potential benefit has not been analysed yet but seems to be

important coming from the perspective of Sustainability Science. By mitigating climate change, Fosen wind park could contribute to intra- and intergenerational justice one could argue.

Indeed, climate change mitigation was one of the central arguments of the authorities and the government. NVE pointed out that Norway's target for renewable energy is seen as a major factor and advantage to be considered in licensing processes (interview d). "The politicians set targets for the renewable production. And from that target we need to give enough licenses for projects and that is important in our licensing processes" (interview d).

In contrast, the reindeer herders' lawyer, Norske Reindriftsamers Landsforbund (NRL) and Naturvernforbundet argued that there is no need for more energy in Norway (interview h; interview i; interview j). "They are putting up the cables now to the European market. And then, then of course if we should export energy to Europe, we can put up windmills everywhere." (interview j). On the other hand both, Åfjord municipality and the county of Trøndelag, pointed out that there also was a lack of power in Mid-Norway and on Fosen (interview a; interview c). According to the county, the upcoming extension of the Norwegian grid on Fosen as well as a grid connection to Sweden have solved this problem (interview c). So, whereas NVE referred to the government's renewable energy targets and argued that these targets play a major role in licensing processes, the targets themselves are contested.

The County of Trøndelag acknowledged the need for "clean energy" (interview c) which could benefit the Norwegian industry. Furthermore, the interviewee criticised that a comprehensive political strategy concerning renewable energy is missing in Norway although there are renewable energy targets (interview c). In contrast, Åfjord municipality did not really point out the need for more renewable energy. As described before, Åfjord was mainly driven by the economic benefits of the Fosen project (interview a). The municipality rather described the renewable energy targets as being pushed by the national government, as targets "that they have send to the international society" (interview a). Interestingly the municipality also acknowledged that meeting the renewable targets in Norway is possible without wind energy (interview a). Besides Åfjord not even Statkraft made an effort in pointing out a potential benefit of Fosen wind park for climate change mitigation in Norway. The company only indicated its own major role in the ongoing transitions (interview e).

Sámi reindeer herders on Fosen noticed minor environmental changes that they linked to climate change. For instance, they observed that the tree line has moved up in recent years (interview f; interview g). Because the mountains are not very high on Fosen, the amount of pastures above the tree line is not big (interview g). A changing altitude of the tree line might decrease the size of the

summer pastures, they argued (interview g). One of the herders believed that warmer winters will be negative because reindeer will become uneasy and will spread all over the territory if there is no snow (interview g). Despite these potential negative impacts, both interviewed reindeer herders did not draw any conclusions with regard to Fosen wind park or a potential need for climate change mitigation (interview h; interview g). Instead, they rather seemed to be indifferent and uninformed regarding the climate change debate. Neither did they refer to the renewable energy targets of the government nor to the international ambitions regarding climate change mitigation nor to any other similar debate (interview h; interview g). Instead of building a wind park on Fosen, they suggested to put wind parks off shore or close to the electricity consumers in the inhabited areas (interview g; interview h). Furthermore, both herders agreed in the perception that the park is not about creating renewable energy anyway but rather about profit (interview g; interview h).

This perception conforms with NRL's point of view. The organisation referred to the notion of "capital power" (interview i) and argued that there is no need for more energy in Norway. At the same time NRL acknowledged potential impacts of climate change on reindeer husbandry like newly introduced diseases and parasites or changing pastures (interview i). Another ally of the Fosen reindeer herders is Naturvernforbundet which also argued that wind energy developments on Fosen are not required (interview j). The organisation highlighted that electricity production is simply too high in Norway and promoted energy efficiency and energy saving instead (interview j).

In summary, it is quite remarkable that most of the stakeholders did not frame the benefits of Fosen wind park in terms of climate change mitigation or as contribution to intra- and intergenerational justice. Only NVE and the County of Trøndelag get at least close to it by highlighting the importance of climate targets and renewable energy, however, without further elaboration on why they could be desirable. The rest of the stakeholders was either not making the effort of mentioning potential benefits of Fosen wind park in terms of climate change mitigation in contrast to their obvious economic interest (Fosen Vind, Åfjord municipality), was not knowledgeable regarding climate change mitigation (the reindeer herders) or claimed that Fosen wind park simply does not contribute to climate change mitigation in Norway (opposing interest groups). This confirms that at the local and regional level the distributive disadvantages for Sámi reindeer herders are rather developed on the grounds of economic interest than of climate change mitigation.

5.2 Perceptions of justice as recognition

By referring to Young (1990), Schlosberg (2004) argued that a major reason for distributive injustice is lacking recognition of group difference. Indeed, recognition is a major dimension in the Fosen conflict. The Sámi reindeer herders claims clearly went beyond distribution: “They think they can buy us with money but they don't” (interview g). As pointed out earlier, only reindeer herders from one of the herding groups on Fosen could be interviewed for this study. There are some indications that it is especially this group which brings forward claims of justice as recognition (interview a; interview g). Since talking to the other herding group was not possible, the chapter only focuses on the perspectives of the interviewed herding group as it also has been done in the other parts of this work.

5.2.1 The role of culture

Quotes like “If the reindeer are good, I am good!” (interview g) or “I have to be in the mountain” (interview g) show that the interviewed herders seem to be closely attached to their occupation as reindeer herders. Certainly reindeer herding is not a job like any other. The interviewed herders as well as their allies in the Fosen conflict pointed out that reindeer husbandry has a major importance for Sámi culture and identity (interview b; interview g; interview i; interview j).

Reindeer husbandry forms the most important material basis for Sámi culture and community, and is a cornerstone for the Sámi culture, both linguistically, identity and socially. In many areas, the Sámi language has survived as a result of reindeer husbandry. (interview i)

It is in this context that the wind park is seen as a major threat to Sámi culture (interview g). “The thing is, it's the culture disappearing, not only one man losing his job. That's not what it's about. It's about the culture going missing.” (interview g). This concern was shared by all interviewed parties who are opposing the wind park (interview b; interview g; interview i; interview j). The perceived threat to the culture becomes particularly important considering that the Fosen Sámi reindeer herders belong to the minority of Southern Sámi who also needed to fight for recognition within the larger group of Sámi people (interview f). Overall, highlighting the need for the survival of Sámi culture and the special role of reindeer husbandry to do so was a reiterating topic, however, not in the interviews with the supporters of the park which indicates diverging perceptions regarding justice as recognition.

5.2.2 The role of knowledge

The reindeer herders underlined that it is difficult for outsiders to understand Sámi culture and reindeer husbandry (interview g). Reindeer husbandry requires many years of experience and knowledge is passed on from generation to generation (interview f; interview g). “Think like a reindeer, yes I do. I tried it.” (interview g). The herders pointed out that other stakeholders do not have this knowledge and therefore fail in understanding and recognizing their concerns (interview g). They argued that many people are indifferent but that they are not to be blamed because it is so hard to understand how reindeer husbandry really works (interview g).

And that's, that's mainly the problem I think as well because they think it's so easy because they have their ways of settled thinking and it's completely different. It's a different way of life, a different way of thinking. It's a different mentality. And that is very hard to grasp for ordinary people I suppose. (interview g)

In contrast to this statement, the licensing authority NVE specifically referred to the importance and value of Sámi reindeer herders' knowledge in the licensing process.

The information we're given inputs in, we get from the reindeer communities, is considered very valuable for us. And it's very important in both, when we make the EIA program and for the decision in the end of the process. (interview d)

However, the authority stated that major knowledge gaps regarding the impacts of wind energy on reindeer remain and make it hard to take licensing decisions (interview d). This indicates that NVE refers to scientific knowledge as the major source of some form of objective truth despite recognizing the importance of local reindeer herders' knowledge. But even if science proofed Fosen Sámi herders to be wrong in their perception regarding the distributive impacts of wind energy, it would be questionable if they stopped bringing forward their identity claims. This becomes apparent when looking into some more of the underlying grounds of their claims, which I do in the next section.

5.2.3 The role of capital, the state and the colonial past

The perceived struggle for cultural survival of the Sámi in the Fosen conflict is linked to another narrative, the narrative of the state erasing Sámi culture. Mainly the interviewed Sámi themselves but also representatives from their allied interest groups were drawing a picture of a powerful and colonising state. Referring to the Alta controversy and the oppressions of the colonial past, one interviewee reflected:

But what is happening now is actually much the same with ... it's not like that open discrimination or open racism but when the big society is taking the areas for energy production, for mining, for ... they don't have any area for their cultural heritage which is reindeer herding. (interview j)

Another argument brought forward is the one of the state being “cunning” (interview g) and taking over the land from indigenous people step by step.

In America they just shot the indigenous people, whereas here they are like slowly killing them. It is a more cruel way of killing them because ... so at least, they were a little bit more honest in America because they shot them straight away. (interview g)

The reindeer herders framed their opposition to the wind park as a fight of “David against Goliath” (interview g) and talked about “a new colonialism” (interview f). “When they first put a finger in the area, they take the whole heart. But we live here!” (interview f). Besides the state also the notion of powerful capital interest misrecognizing Sámi people was referred to in the interviews (interview i). And both, state and capital, were perceived to be interlinked in the case of Fosen. “You know Statkraft is, is the government. Big, very.” (interview g).

The representative of the county administration perceived the herders’ identity claims as selfish NIMBYism (interview c). What could be assessed as misrecognition of reasonable local Sámi concerns, is relativised by the fact that the interviewee also highlighted that “normally reindeer cases will end up in the fylkestinget [the regional parliament] because it's that important” (interview c). Furthermore, the reindeer department at the County Governor underlined that it was the only authority safeguarding the interests of Sámi reindeer husbandry (interview b) which draws a similar ambivalent picture concerning the recognition of Sámi interests in the regional sphere of the state.

It is this state that the more powerful stakeholders in the conflict tried to draw legitimacy from. Fosen Vind and NVE referred to the validity of the licensing process in the Fosen case in order to underline their position (interview d; interview e). Additionally, NVE pointed out that it needed to achieve the renewable energy targets set by the government, thereby presenting itself as only being an implementing agency (interview d).

In summary, the very strong colonial framing by the Sámi reindeer herders clashes with the dominant justice perceptions of commercial and administrative stakeholders who draw their legitimacy from the power of the state.

5.2.4 The role of law

An important tool for recognition can be the legal system. As written before, Sámi rights are not only protected in the Norwegian constitution but also by international law like the ILO convention 169 or the UN International Covenant on Civil and Political Rights (Ravna, 2013). However, the power and interpretation of law seems to be contested in the analysed case study.

NRL perceived that “the problem is that the rights of the reindeer herders often get lost, not only in the governmental bodies but also in the Norwegian legal system” (interview i). And the reindeer department pointed out, “Sámi reindeer husbandry is safeguarded in several laws and conventions. But in reality, it often loses in competition with other interests, i.e. the need for ‘environmentally friendly’ energy.” (interview b). Similarly, the interviewed nature protection organisation and the Sámi reindeer herders highlighted that the laws are often only rights or words “on a paper” (interview g; interview j).

The ongoing court cases show that the herders try to bring meaning to those “rights on paper” (interview g). One of their key arguments was that the park breaches rights as set out in Article 27 of the International Covenant on Civil and Political Rights which protects the culture, religion and language of minorities (interview h, OHCHR, n.d.). In contrary, Fosen Vind argued that the wind park is not in conflict with international conventions and highlighted that the licensing authority came to a similar conclusion (interview e). NVE also acknowledged the relevance of international law to protect Sámi rights. “We consider those conventions in all of our decisions in the Sámi communities. So they are important.” (interview d). And at the local level the interviewee from Åfjord municipality reflected on the very own lack of knowledge with regard to the legal protection of Sámi. The interviewee said about the licensing decision of NVE, “I don't think that Norway would have done this and said yes if it would destroy the agreements we have on the ILO convention [...] but in a way I also feel a bit naive” (interview a).

The legal side of the conflict is just another manifestation of the clashing claims described before. The more powerful stakeholders in the conflict draw their legitimacy from the state. It is questionable if the same institution will be able to safeguard the Sámi herders interests with its very own means, the legal system. That is why the Fosen Sámi reindeer herders put a lot of hope in the UN Human Rights Committee dealing with their case (interview h). However, in the meantime the wind park is under construction and precedents are created before the courts will be able to decide.

Regarding the whole dimension of justice as recognition it can be concluded that Sámi reindeer herders on Fosen had strong identity claims which were not shared by the supporters of the park.

Although there is no proof of heavy misrecognition, I have shown evidence how the reindeer herders are facing a lack of recognition from these stakeholder, for instance, with regard to legal protection or Sámi herders' knowledge.

5.3 Procedural perceptions of justice

According to Schlosberg (2007), justice requires participation in political processes in order to undermine unequal distribution and lacking recognition. In this chapter I therefore analyse to what extend Sámi reindeer herders have been involved.

5.3.1 Consultation process

Sámi reindeer herders have the right to be consulted in case of potential negative impacts on their pastures. This was widely acknowledged and referred to among several stakeholders (e.g. interview i; interview a). NVE pointed out that the general licensing process for a wind park in Norway includes two steps, a notification and a license application (as outlined in the background section of this work) (interview d). Both steps include public hearings and the license application requires an environmental impact assessment which is implemented by the company based on demands of NVE (interview d). Linked to the public hearings reindeer districts get the chance for an extra consultation in both, the notification and the application, which was also the case on Fosen (interview d). Therefore, NVE concluded, "they have their say in both the notification and the application process" (interview d). Referring to the formal licensing process, Fosen Vind underlined that Sámi reindeer herders participated in numerous consultations (interview e).

Additionally the question arises to what extend the herders have been included in other processes related to the wind park. In that regard an important stakeholder is the reindeer department which represents the interest of Sámi reindeer husbandry in the public administration (interview b). The department highlighted that it usually tries to consult Sámi reindeer herders when it is lacking important knowledge (interview b). "But it is sometimes difficult to adapt the experiential knowledge about Sámi reindeer husbandry into plan and building cases, i.e. windmill parks or cabin resorts." (interview b). Furthermore, the department pointed out that NVE usually consults reindeer herders very late in the licensing process and that the reindeer department has not been involved in a formal process with regard to the Fosen wind park (interview b).

Although the municipality could have stopped the wind park, no further formal consultation took place at this level (interview a). However, the municipality was in touch with the herders for a few times (interview a).

Unlike the supporters of the Fosen wind energy project the interviewed reindeer herders did not put a strong emphasis on the importance of the consultation process. The herders realized that Fosen Vind tried to talk to them, but they pointed out that the company did not really listen to them (interview g). They argued that the contact has not been good although Fosen Vind highlighted the good relationship with the herders (interview f). In contrast, Fosen Vind stated that the contact was constructive but that the interviewed herding group did not want to talk during the licensing process (interview e). Also Åfjord municipality pointed out, that they “really didn't want talk too much” (interview a). And further, “They talk about Sámi culture, the way of living their history. And they always tell me that it's no use talking to you [...] because you don't know anything about it.” (interview a). This refers to perceptions of not being recognised as discussed in the previous chapter. In this context, it is not surprising that one of the herders also referred to Sámi culture as traditionally not being open-minded because Sámi “have been overrun by the state all the time. [...] I think that's made them a quite closed community.” (interview g). The Fosen wind park threatens Sámi reindeer herders' livelihood and forces them into a conservation which they cannot wind and in which they do not feel as equal counterparts which can be shown by the following quotes. “I know the reindeer herding, but I don't know how to talk with the people” (interview g) and “The law says that they have to be heard. But what does it mean to be heard? Just to let them sit there and talk and don't listen to them?” (interview g).

5.3.2 Decision-making process

The final decision to construct the park was taken by NVE and later on confirmed by MPE (interview b; interview d). NVE stated, “in the licensing process we considered all the pluses and minuses for the proposed wind farms and then in the end we say yes or no [...] from a comprehensive perspective.” (interview d). Hence, reindeer husbandry became one of several arguments in the final licensing process and reindeer herders could not decide by themselves (interview d). Fosen Vind and NVE argued, though, that the Fosen reindeer herders had a significant influence on limiting the amount of wind parks on Fosen and on reducing the number of turbines in the parks that were finally licensed (interview d; interview e). Also, the reindeer department assumed that it had a certain influence in that regard (interview b). Furthermore, NVE pointed out that it stopped lots of licensing processes at other places than Fosen because of reindeer husbandry (interview d). Still, the Fosen Sámi reindeer herders' livelihood on Fosen is threatened by the wind parks that were permitted. That is why the herders argued, “there have been discussions, but they [the reindeer herders] haven't been heard.” (interview g). Overall, the Sámi herders' perspective on the procedural part of the conflict can be summed up by a comment of NRL.

The problem is that there is no requirement for the parties to reach an agreement through a consultation process. If the parties don't reach agreement, the government takes the decision in the end. This is quite problematic because the government conducts consultations without any risk of loss because they anyway decide on the outcome. (interview i)

The representative of Naturvernforbundet even goes one step further arguing, "It was determined. They designed it to build it. So, that exactly was the turn." (interview j).

Overall, the imbalance of justice perceptions also prevails in the dimension of procedural justice. Supporters of the Fosen wind park argued justice was created by consultation while the Sámi side of the conflict underlined that consultation did not have any significant influence on the key question of whether the park will be build or not. This shows how the divergence of two justice perceptions creates unfair procedures from the perspective of the less powerful Sámi.

6 Discussion

As the previous analysis has shown, there are clashing perceptions of justice in the Fosen case. Because they are on the less powerful side of the conflict, Sámi reindeer herders need to deal with distributive disadvantages, lacking recognition and limited involvement in decision-making procedures. Furthermore, the construction of the wind park is mainly driven by economic interests rather than climate change mitigation. Although distributive claims play an important role in the Fosen conflict, recognition is at its actual core. Reindeer husbandry is important to maintain Southern Sámi culture and Sámi herders had strong identity claims.

As Young (1990) argued, recognition of group difference is required to reduce injustice where group differences are linked to privilege and oppression. Whereas Sámi as a group do not suffer from open discrimination in the Fosen case, I found evidence of lacking recognition as presented in the analysis, and Sámi claims are also linked to group difference in terms of oppression. Looking back at decades of colonial history the identity claims of the herders were based on the perception of a powerful state that takes over Sámi territory and does not understand Sámi concerns.

These results are in line with recent research in similar cases. In an analysis of 20 case studies on environmental justice and wind energy developments from all over the world, Avila (2018) showed that many indigenous groups were defending their indigenous culture and livelihood. In this context, judging the identity claims in the Fosen case in terms of NIMBYism as one of the interviewees did mean a fundamental misunderstanding of the case. Indeed, NIMBYism has been challenged by researchers who argue that other aspects than selfishness lead to rejections of wind energy developments, for instance, feelings about equity and fairness (Wolsink, 2005).

Similar struggles for recognition as in Fosen were identified by other researchers with regard to Sámi in Sweden. In the Swedish case of Gállok researchers found out that in a major conflict between the Sámi population and mining developments questions of social status, recognition and asymmetries in power relations between Sámi and other stakeholders were key (Persson, Harnesk, & Islar, 2017). Similarly, Lawrence (2014) highlighted the unresolved tensions between Swedish Sámi and non-Sámi Swedish society and showed colonial continuities with regard to the Sámi population in the context of wind energy developments. Lacking recognition as well as procedural and distributive justice concerns with regard to wind energy in Sweden were also pointed out by Niessen (2017).

In the introduction of this thesis I expressed the need for research not only in the Swedish but also in the Norwegian context because of the emerging role of wind power in that country. The results of

my exemplifying case study show that despite potential differences in the national contexts of Sweden and Norway the underlying struggles for recognition seem to be similar when comparing the mentioned Swedish cases with the results of my study. However, generalizations for Norway as a whole can hardly be drawn from that.

Coming from the perspective of Sustainability Science, the finding that many supporting stakeholders in the Fosen case are rather driven by economic interest than climate change mitigation is another important result. Indeed, Rygg (2012) found similar results in studying communities with wind energy in Norway, including municipalities on the Fosen peninsula. Local arguments for wind energy were mainly highlighting possibilities for modernization, economic chances or employment opportunities (Rygg, 2012). Understanding wind energy as potential for growth can be linked to the concept of ecological modernization which is “the idea that the ‘opposing’ goals of economic growth and environmental protection can be reconciled by further, albeit ‘greener’, industrialisation” (Carter, 2007, p. 227).

Due to the limited scope of this study, I mainly interviewed local and regional stakeholders. My results do not necessarily apply to the national political discourse or the Norwegian government. However, there are indications that the government has a similar position regarding renewable energy as stakeholders from the local and regional level. Almost the entire Norwegian electricity production is based on renewable energy and the energy transition in other sectors like transport will still take several years (Blindheim, 2015). Therefore, Blindheim (2015) argued that new electricity will be exported as it was also perceived by many of the interviewed stakeholders on Fosen. Indeed, the Norwegian government pointed out that exporting electricity abroad will “promote green growth in Norway” (MCE, n.d.-a, p. 27). At the same time increased production of renewable energy will also benefit Norway’s calculative carbon footprint, even if the electricity is exported (Blindheim, 2015). Although more research on the government’s position would be required, this quick outlook indicates that not only on the local and regional level but also on the national level notions of growth and ecological modernization might be a suitable explanation for the driving forces behind Fosen wind park.

What is promising and creates benefits for some of the stakeholders in the conflict, leads in turn to disadvantages for the others as the differing perceptions of justice have shown. All in all, the Fosen conflict is not only a conflict about resources but it is substantially embedded in greater concerns for justice as recognition. In order to answer my final research question, I will now turn to some recommendations that can be drawn from the case study.

6.1 Recommendations

Looking at the Fosen conflict from a Sámi reindeer herder perspective, it is difficult to find a solution to the perceived injustice. The licenses were handed out many years ago and the park is under construction right now. Public protests only started late in the conflict and have not been successful (interview a; interview b; interview h). The major hope of the opponents now lies in the court system (e.g. interview h; interview j).

However, a few lessons can be learned from Fosen for similar cases in future as well as for the conflict between Sámi reindeer husbandry and wind energy. First of all, the Fosen conflict is grounded in lacking recognition. Addressing recognition therefore becomes core, also because it can aid redistribution as suggested by Fraser (2000). Jenkins et al. (2016) outlined mobilizing local knowledge as an attempt for procedural inclusion which has the potential to increase recognition. Indeed, some of the stakeholders in the Fosen case perceived local herders' knowledge to be very valuable (interview b; interview d), but one of the Sámi interviewees highlighted that outsiders often do not understand Sámi reindeer husbandry and have preconceptions. So, fully including local herders' knowledge would be a step forward in similar conflicts like Fosen. In this context, NRL suggested that consultations should become a duty in order to "create a better understanding about the Sámi issues" (interview i). Indeed, consultation is no duty right now since Sámi only have the right to be consulted in case they want to (interview d). Early inclusion in planning processes was referred to as another potential improvement as well as improved contact between Sámi and state institutions (interview i). Furthermore, the Fosen case has shown that inclusion needs to go beyond predetermined consultation processes and requires a better involvement in decision-making processes.

The law and the legal system can have another important role for recognition, especially international law that can question state behaviour from the outside. Not for nothing, the Fosen herders put a lot of hope in the UN's International Covenant on Civil and Political Rights.

A more radical approach than improved procedures in the technocratic realm was suggested by the interviewed nature protection organisation. The interviewee saw the most effective approach in struggles on the ground (interview j). Protests and strong alliances between similar interest groups, like Sámi people and nature protection organisations, were the key to stop a project similar to Fosen in the north of Trøndelag (interview j).

And finally, one Sámi reindeer herder illustrated how he himself tries to improve recognition of Sámi. He organises workshops with school students explaining Southern Sámi culture, he cooperates with universities and does not get tired of explaining his very own perspective and cultural background (interview g).

6.2 Reflection on the theoretical framework

In this thesis I used Schlosberg's (2004) environmental justice framework in order to analyse the conflict between Sámi reindeer husbandry and wind energy developments on Fosen. The framework was particularly useful in order to throw light on the underlying problems of the conflict, especially because of its three dimensions that go beyond a sole distributive analysis as a conflict on resources. Schlosberg's (2004) bottom up approach is based on the demands of the movement as well as on theory and was therefore particularly useful to apply in the context of a specific case study on the ground. However, I also noticed some limitations in working with the framework. Schlosberg's (2004) open and pluralistic approach to environmental justice left a lot of room for my own informed but normative interpretations of the case. What Schlosberg (2004) argued is important in order to consider the details of the context, sometimes was a challenge in the research process. Furthermore, I chose an environmental justice framework because of perceived conflicts on climate change mitigation and land as an environmental resource but in the end it turned out that both is not at the very core of my case study. In fact, the case is rather about the rights of Sámi as indigenous people and analysing this does not necessarily require a framework of environmental justice.

Writing the work from the perspective of Sustainability Science was particularly useful in order to reveal that the conflict was not driven by strong mitigation efforts but rather by capital interest. This shows that evaluating the claims around presumable sustainability projects is important, especially where they might create misperceptions of sustainability projects as projects that induce justice concerns.

7 Conclusion

Against the background of an increasing wind energy production in Norway the aim of this thesis was to identify and analyse justice concerns with regard to Sámi reindeer husbandry and wind energy in the Norwegian context. Written from the perspective of Sustainability Science I chose Schlosberg's (2004) tripartite environmental justice framework in order to explore an exemplifying case. I analysed justice perceptions of the relevant stakeholders linked to the conflict between Sámi reindeer husbandry and the development of a major wind park on the Fosen peninsula in Mid-Norway.

The analysis shows that the wind park has multiple negative consequences for Sámi reindeer husbandry on Fosen adding to other cumulative effects. The herders will lose valuable pastures and might even partially quit their business. Whereas supporters of the park saw compensation as means to reduce the damage or to even solve the conflict, Sámi herders' claims went beyond distributive concerns pointing out the importance of reindeer husbandry to maintain Southern Sámi culture. Against the background of decades of colonial oppression, the herders' strong identity claims were based on the perception of a powerful state that does not understand Sámi concerns. It is this state from which the supporters of the park drew legitimacy for their arguments. Although several consultations created a forum for Sámi concerns, the Sámi herders did not have a say in the final decision. Instead, this decision was taken by the central administration which is under pressure to achieve Norway's renewable energy targets. However, the implementation of these targets in form of the Fosen wind park revealed that the interviewed stakeholders supporting the park primarily drew their motivation from the perceived economic benefits, thus, revealing notions of ecological modernization. Since recognition is a key concern in the case study, recommendations need to address particularly this dimension of justice.

The results of this work raise some questions for further research. From a sustainability perspective it seems to be relevant to do more research on the role of renewable energy in Norway in order to get a better understanding of the drivers of conflicts like in Fosen. Another remaining questions ties back to the key concern of recognition. Is Fosen an exception or are there similar concerns in other Norwegian cases? At least the strong identity claims raise the question of recognition of the Sámi in the Norwegian society as a whole.

8 References

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